1		The Honorable Robert S. Lasnik
2		
3		
4		
5		
6	LIMITED STATES DI	CTDICT COLIDT
7	UNITED STATES DISTRICT COURT WESTERN DISTRICT OF WASHINGTON AT SEATTLE	
8	AISEAIILE	
9	CHAMBER OF COMMERCE OF THE UNITED STATES OF AMERICA; and	No. 17-cv-00370-RSL
10	RASIER, LLC	NO. 17-CV-00370-RSL
11	Plaintiffs, v.	STIPULATION AND [PROPOSED] ORDER FOR
12	CITY OF SEATTLE; SEATTLE	DISMISSAL WITHOUT PREJUDICE
13	DEPARTMENT OF FINANCE AND ADMINISTRATIVE SERVICES; and FRED	FREJUDICE
14	PODESTA, in his official capacity as Director, Finance and Administrative Services, City of	
15	Seattle,	
16	Defendants.	
17		
18	STIPULATION	
19	Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), Plaintiffs Chamber of	
20	Commerce of the United States of America and Rasier LLC ("Plaintiffs") and Defendants	
21	("Seattle"), by and through their respective counsel of record, jointly stipulate to dismiss	
22	///	
23	///	
24	///	
25		
26		
27		
	STIPULATION AND PROPOSED ORDER FOR DISMISSA PREJUDICE (17-cv-00370-RSL) - 1	AL WITHOUT Davis Wright Tremaine LLP LAW OFFICES

voluntarily all claims and counterclaims that remain pending before the Court without prejudice 1 and without an award of fees or costs to any party. The claims that remain at issue in this case, 2 which are the only ones hereby dismissed without prejudice, are Counts One and Two of 3 Plaintiffs' Amended Complaint, counts Three through Eight having previously been dismissed 4 5 with prejudice. Respectfully submitted this 9th day of April, 2020. 6 7 8 By: s/Robert J. Maguire By: s/Timothy J. O'Connell (via email auth) Robert J. Maguire, WSBA 29909 Timothy J. O'Connell, WSBA 15372 9 Douglas C. Ross, WSBA 12811 STOEL RIVES LLP DAVIS WRIGHT TREMAINE 600 University Street, Suite 3600 10 Seattle, WA 98101 920 Fifth Avenue, Suite 3300 (206) 624-0900 (206) 386-7500 FAX Seattle, WA 98104-1610 11 Tim.oconnell@stoel.com (206) 622-3150 (206) 757-7700 FAX 12 robmaguire@dwt.com Michael A. Carvin 13 Attorneys for Plaintiff Rasier, LLC (D.C. Bar No. 366784) (pro hac vice) 14 Christian G. Vergonis 15 By: s/P. Casey Pitts (via email auth.) (D.C. Bar No. 483293) Stephen P. Berzon (pro hac vice) (pro hac vice) 16 Stacey M. Leyton (pro hac vice) Jacqueline M. Holmes P. Casey Pitts (pro hac vice) 17 (D.C. Bar No. 450357) ALTSHULER BERZON LLP (pro hac vice) 177 Post Street, Suite 300 18 San Francisco, CA 94108 Robert Stander 19 (415) 421-7151 (D.C. Bar No. 1028454) (pro hac vice) 20 JONES DAY PETER S. HOLMES 51 Louisiana Avenue, N.W. 21 Seattle City Attorney Washington, D.C. 20001 JESSICA NADELMAN 22 (202) 879-3939 SARA O'CONNOR-KRISS (202) 616-1700 FAX 23 Assistant City Attorneys mcarvin@jonesday.com Seattle City Attorney's Office 24 701 Fifth Avenue, Suite 2050 Steven P. Lehotsky (pro hac vice) Seattle, WA 98104 (D.C. Bar No. 992725) 25 (206) 684-8200 U.S. CHAMBER LITIGATION 26 CENTER Attorneys for Defendants 1615 H Street, N.W. 27 City of Seattle et al Washington, D.C. 20062

STIPULATION AND PROPOSED ORDER FOR DISMISSAL WITHOUT

PREJUDICE (17-cv-00370-RSL) - 2 4824-9180-2553v.3 0096932-000036

(202) 463-3187 1 slehotsky@uschamber.com 2 Attorneys for Plaintiff Chamber of Commerce of the 3 United States of America 4 5 ORDER 6 This matter having come on regularly for consideration before the undersigned Judge 7 upon the above and foregoing stipulation, and the Court being fully advised, now, therefore, it 8 is hereby 9 ORDERED, ADJUDGED and DECREED that all claims and counterclaims that remain 10 pending before the Court are dismissed without prejudice and without an award of fees or costs 11 to any party. All claims having been resolved, this matter shall be closed. 12 DATED this day of , 2020. 13 14 15 UNITED STATES DISTRICT COURT JUDGE 16 Presented by: 17 By: s/Robert J. Maguire By: s/Timothy J. O'Connell (via email auth) 18 Robert J. Maguire, WSBA 29909 Timothy J. O'Connell, WSBA 15372 19 Douglas C. Ross, WSBA 12811 STOEL RIVES LLP DAVIS WRIGHT TREMAINE 600 University Street, Suite 3600 20 920 Fifth Avenue, Suite 3300 Seattle, WA 98101 (206) 624-0900 (206) 386-7500 FAX Seattle, WA 98104-1610 21 Tim.oconnell@stoel.com (206) 622-3150 (206) 757-7700 FAX robmaguire@dwt.com 22 Michael A. Carvin 23 (D.C. Bar No. 366784) Attorneys for Plaintiff Rasier, LLC (pro hac vice) 24 Christian G. Vergonis 25 (D.C. Bar No. 483293) By: <u>s/P. Casey Pitts (via email auth.)</u> (pro hac vice) Stephen P. Berzon (pro hac vice) 26 Jacqueline M. Holmes Stacey M. Leyton (pro hac vice) 27 (D.C. Bar No. 450357) P. Casey Pitts (pro hac vice) STIPULATION AND PROPOSED ORDER FOR DISMISSAL WITHOUT Davis Wright Tremaine LLP PREJUDICE (17-cv-00370-RSL) - 3 LAW OFFICES 4824-9180-2553v.3 0096932-000036

920 Fifth Avenue, Suite 3300 Seattle, WA 98104-1610 206.622.3150 main · 206.757.7700 fax

	ALTSHULER BERZON LLP	(pro hac vice)
1	177 Post Street, Suite 300	Robert Stander
2	San Francisco, CA 94108 (415) 421-7151	(D.C. Bar No. 1028454)
3	(413) 421-7131	(pro hac vice)
4	PETER S. HOLMES	JONES DAY 51 Louisiana Avenue, N.W.
	Seattle City Attorney	Washington, D.C. 20001
5	JESSICA NADELMAN SARA O'CONNOR-KRISS	(202) 879-3939 (202) 616-1700 FAX
6	Assistant City Attorneys	mcarvin@jonesday.com
7	Seattle City Attorney's Office 701 Fifth Avenue, Suite 2050	Steven P. Lehotsky (pro hac vice)
8	Seattle, WA 98104	(D.C. Bar No. 992725)
9	(206) 684-8200	U.S. CHAMBER LITIGATION
10	Attorneys for Defendants	CENTER
	City of Seattle et al	1615 H Street, N.W. Washington, D.C. 20062
11		(202) 463-3187
12		slehotsky@uschamber.com
13		Attorneys for Plaintiff
14		Chamber of Commerce of the United States of America
15		•
16		
17		
18		
19		
20		
21		
22		
23		
24		
25		
26		
27		